

REMARKS

Claims 1-14 are pending in the application. Claims 3-6, 9-10, and 12-13 have been amended. The amendment is fully supported by the original disclosure. No new matter has been introduced. Reconsideration and allowance of claims 1-14 in view of the following is respectfully requested.

The objection to the specification:

Regarding items 1-3, the Examiner objects to the Abstract for improper language and/or format. Accordingly, Applicant has amended the Abstract to delete legal phraseology term "said" and replaced it with "the". Regarding the other suggestions listed by the Examiner, Applicant notes that the Abstract has 63 words. The Abstract does not repeat information given in the title and does not use phrases which can be implied such as "the disclosure concerns". Applicant believes that the Abstract is now acceptable.

The objection to claim 10 for informalities:

Regarding item 5, claim 10 is objected to for improper dependency. Accordingly, Applicant has amended claim 10 to be dependent on claim 9.

The objection and rejection of claims 3 and 4 for informalities and indefiniteness:

Regarding items 4 and 6-10, the Examiner both objects and rejects claim 3 and 4 for the use of the term "United Kingdom sausage" and the term "RUSK". Accordingly, Applicant has amended claims 3 and 4 to recite "British breakfast sausage" and remove "United Kingdom" language. Further, Applicant has removed the term "RUSK" and replaced it with the term "Rusk", removing any inference of trademark use.

Applicant believes that claims 3 and 4 are now definite and in proper form for allowance.

Miscellaneous amendments:

Applicant has also amended claims 5-6, 9, and 12-13 to make these claims more definite and in better form for allowance. These amendments were not done to overcome any prior art.

The rejection of claims 1-14 under 35 U.S.C. § 102:

Regarding items 11-13, the Examiner has rejected claims 1-14 as being either anticipated by Morgan (WO9312660) and/or anticipated by Taylor (GB1232801).

Applicant disagrees with the Examiner's conclusion and traverses the rejection for the following reasons. For a prior art reference to anticipate under 35 U.S.C. § 102, each and every element of the claimed invention must be identically shown in the reference. Applicant respectfully submits that neither Morgan nor Taylor disclose or suggest the limitation in Applicant's independent claim 1 requiring that the anti-dehydration agent (ada) is applied "just prior to, during or after said coextrusion." By applying such an ADA, splitting of the casing during cooking is minimized, as described at page 4, lines 13-19.

Neither Morgan nor Taylor teach or suggest any application or use of an ada in conjunction with co-extrusion process. Morgan and Taylor have no discussion of the casing splitting problem or any solution for this problem. Morgan merely asserts that the vegetable oil may be included in the collagen gel, without any further explanation. Likewise Taylor merely discusses the inclusion of glycerol in the collagen mix during milling. Conversely, the present

application explains that the ada lubricant may be incorporated into the collagen gel at the gel manufacturing level, the specification further explains that this method has several drawbacks, including shortened shelf life of the gel and lack of adjustability to achieve optimum results. See specification page 4, lines 20-29.

Therefore, the claim 1 limitation of lubricating with an ada "just prior to, during or after said co-extrusion," distinguishes over both Morgan and Taylor. Accordingly, claim 1 and dependent claims 2-14 are allowable.

Additionally, Applicant has attached the international preliminary examination report of October 31, 2000, wherein the Examiner found that "the subject matter of claim 1 differs from [Morgan] in that the casing forming material is treated with the "ada" just prior to, during or after coextrusion whereas in [Morgan] it appears that the oil is included at the time of forming the gel mix. The subject-matter of claim 1 is thus recognized to be novel over [Morgan] ... There is no suggestion in [Morgan] to add the vegetable oil at any time other than when the gel mixture is being formed. It cannot therefore be regarded as an obvious alternative". Accordingly, Applicant submits that claim 1 is also not obvious in view of Morgan or Taylor for the above reasons.

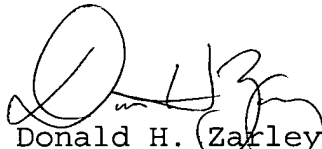
CONCLUSION

In view of the above amendments and remarks, Applicant believes claims 1-14 are in condition for allowance and Applicant respectfully requests allowance of such claims. If any issues remain that may be expeditiously addressed in a

telephone interview, the Examiner is encouraged to telephone the undersigned at 515/558-0200.

Any fees or extensions of time believed to be due in connection with this amendment are enclosed herein; however, consider this a request for any extension inadvertently omitted, and charge any additional fees to Deposit Account No. 50-2098.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Donald H. Zarley", is written over the printed name.

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